IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-11-2007

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.10627 of 1999

Mr.K.Ravichandran .. Petitioner.

Versus

1.The District Collector,
Dharmapuri District.

2.The Sub-Collector,
Hosur (Taluk),
Dharmapuri District.

3.The Tahsildar,
Hosur Taluk Office,
Hosur, Dharmapuri District. .. Respondents.

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of certiorarified mandamus, calling for the records of the first respondent in respect of the corrected schedule relating to the Notification Dt.05.04.1999 in serial No.9 in Schedule No.41, of the Scheme "SAMATHUVA PURAM" in Nallur village, Hosur Taluk, Dharmapuri District and to quash the same and direct the respondents to allot to the petitioner one of the plot.

For petitioner : Mr.P.Subba Reddy
For respondents : Mr.V.Manoharan
Government Advocate

WEB COPY

O R D E R

Heard Mr.P.Subba Reddy, the learned counsel appearing for the petitioner and Mr.V.Manoharan, the learned Government Advocate appearing for the respondents.

2. It is submitted by the petitioner that the Government of Tamil Nadu under its Community Development Programme had promoted Samathuva Puram in all the Districts of the State of Tamil Nadu. The petitioner is one of the applicants for allotment of a housing plot in the Samathuva Puram project at Nallur village. The petitioner had been allotted a plot by drawing of lots. Based on some objection petition received, the second respondent had caused an enquiry in the matter and it was found that the petitioner's wife had been allotted a plot by the Slum Clearance Board. Hence, based on the enquiry, the impugned

https://hcservices.ecourts.gov.in/hcservices/

order has been passed by the first respondent, cancelling the allotment made to the petitioner in the Samathuva Puram project at Nallur village.

3. A counter has been filed on behalf of the third respondent. Paragraph 4 of the counter affidavit reads as follows:

> "Regarding the averments made in para 4, it is submitted that the statement is not correct and false one. The writ petitioner is having a modern saloon in Hosur Town and earning a sizable income to lead a comfortable life. Further, it was noticed that his wife was allotted a plot by the Slum Clearance Board. Objection Petition was also received from Public for allotment of house to the writ petitioner. Hence, he is found as not eligible for allotment of house in the said Samathuvapuram Scheme and accordingly, his name was deleted from the beneficiaries list."

4. Learned counsel appearing on behalf of the petitioner is not in a position to deny the claim made by the third respondent that the petitioner's wife had been allotted a plot by the Slum Clearance Board.

5. In such circumstances, this Court is of the considered view that the petitioner has not made out a case to substantiate the claims made in the writ petition. Hence, the writ petition is dismissed. No costs.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

csh

WEB COPY

To

1.The District Collector,
Dharmapuri District.

2.The Sub-Collector,
Hosur (Taluk),
Dharmapuri District.

https://hcservices.ecourts.gov.in/hcservices/

3.The Tahsildar,
Hosur Taluk Office,
Hosur, Dharmapuri District.

+1cc to Govt. Pleader Sr 67963
+1cc to Mr.P.Subba Reddy, Advocate Sr 67916

SKV (CO)
km/22.11.

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/